



U.S. ATTORNEY'S QUARTERLY

Memeger Takes the Reins at EDPA

On May 10, 2010, Zane David Memeger was sworn in as the 58th United States Attorney for the Eastern District of Pennsylvania. President Barack Obama nominated Memeger on April 14th and the U.S. Senate confirmed his nomination on May 5, 2010. Memeger, 45, takes over an office of 126 Assistant United States Attorneys and 109 support staff. His first official acts included the naming of Louis D. Lappen as First Assistant U.S. Attorney and Virginia A. Gibson as Executive Assistant United States Attorney. "I am honored and excited to be returning to the office that I proudly served as an Assistant, engaging again with respected colleagues, and helping the Eastern District build even further on its reputation of excellence," said Memeger. Memeger served the district, previously, as an Assistant U.S. Attorney handling the investigation and prosecution of organized crime, government fraud, financial institution fraud, violent crimes, narcotics, extortion, and commercial bribery. He was a member of the prosecution team that convicted then-mob boss Joseph Merlino and six Merlino associates. His work earned him commendations from FBI Director Robert S. Mueller, III, recognizing his investigative and prosecutorial skills in a city corruption case and in bringing an end to a violent robbery gang in Philadelphia.

While attending law school at the University of Virginia School of Law in 1991, Memeger received the Robert F. Kennedy Award for Public Service.

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A Message From the U.S. Attorney for the Eastern District of Pennsylvania

Every day I walk into an office in which the prosecutors and support staff approach the day trying to answer one simple question: What can I do today to improve the community?

Fifteen years ago I received a telephone call from the United States Attorney for the Eastern District of Pennsylvania asking me to join the office as an assistant U.S. Attorney. While he noted that he could not offer the financial rewards of private practice, he emphatically told me that he could offer what many people consider the best legal job one could have. Needless to say, I accepted the offer and for the next 11 years I held what I consider the best legal job one can have as a trial lawyer – one in which you improve and impact the lives of the people in your community by doing the right thing to ensure that all people are treated equally and fairly under the law as you try to achieve justice for those who have been victimized by people and companies who act out of self-interest, in total disregard of our community bond as citizens of the United States.

I am now extremely humbled – after a brief return to private practice – to have been appointed by the President of the United States

to the position of United States Attorney for the Eastern District of Pennsylvania. It is a sacred trust as the Supreme Court noted back in 1935, when it described the role of the United States Attorney:

"The United States Attorney is the representative not of an ordinary party to a controversy, but of a sovereignty whose obligation to govern impartially is as compelling as its obligation to govern at all; and whose interest, therefore, in a criminal prosecution is not that it shall win a case, but that justice shall be done. As such, he is in a peculiar and very definite sense the servant of the law, the twofold aim of which is that guilt shall not escape or innocence suffer. He may prosecute with earnestness and vigor – indeed, he should do so. But, while he may strike hard blows, he is not at liberty to strike foul ones. It is as much his duty to refrain from improper methods calculated to produce a wrongful conviction as it is to use every legitimate means to bring about a just one."

Berger v. United States, 295 U.S. 78, 88 (1935).

Throughout the nomination and confirmation process, people from all walks of my life -- friends, family, business colleagues, strangers -- consistently conveyed to me two messages: 1) Keep us Safe; and 2) Do the Right Thing. Accordingly, I have been spending quite a bit of time reflecting and thinking about the role of the United States Attorney during this historic period in which many significant issues face our country at home and abroad, including but not limited to international and domestic terrorism, financial market instability, rising health care costs, exploitation of children, illegal trafficking in drugs and firearms, and unimaginable violence. Cont'd. page 4.



DRUG GANG LEADER CONVICTED IN THE MURDER OF A FEDERAL WITNESS



On April 13, 2010, a federal jury convicted Maurice Phillips, the leader of the Phillips Cocaine Organization ("PCO") of all charges, including the murder-for-hire of federal witness Chineta Glanville. Glanville and her godson, Dane King, were executed in her Wyndmoor home by Phillips' cousin, Bryant Phillips, in order to keep Glanville from testifying about the PCO. The jury also convicted Phillips of operating a continuing criminal enterprise, under the "drug kingpin statute," and convicted his cohorts, David Garcia and Sherman Kemp, of the single count against them: conspiracy to distribute five kilos or more of cocaine.

Murdering a federal witness is a capital offense. The penalty phase for Phillips began the week after his conviction. The jury deadlocked on the question of whether Phillips should receive a death sentence, resulting in a mandatory sentence of

life in prison which will be imposed by the judge at a formal sentencing hearing.

Phillips was running a multi-state, multi-million dollar drug operation when he was arrested. Prior to his arrest, federal investigators had interviewed his money launderer, Chineta Glanville. When Phillips learned she was cooperating with authorities, he offered his cousin, Bryant Phillips, \$18,000 to travel from Tennessee to Philadelphia to kill her. In June 2002, Bryant Phillips travelled to Philadelphia, killed Glanville and her Godson, Dane King, who happened to be in her home at the time. When the FBI broke up the operation, 10 others, in addition to Phillips, were charged. All of the defendants pleaded guilty except for Phillips, Garcia, and Kemp.

The case was investigated by

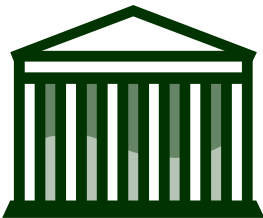
Federal Bureau of Investigation and the Internal Revenue Service, with assistance from a host of other federal and state law enforcement agencies in Pennsylvania, New Jersey, Delaware, and Maryland.

The case was prosecuted by Assistant United States Attorneys Linwood C. Wright, Jr. and Maureen McCartney.



If you believe you may be a victim of a federal crime, the U.S. Attorney's website has more information on whom to call to file a report. Go to www.justice.gov/usao/pae for help.

ASTRA ZENECA AGREES TO PAY \$520 MILLION FOR THE OFF-LABEL MARKETING OF AN ANTI-PSYCHOTIC DRUG



AstraZeneca, headquartered in Wilmington, Delaware, signed the largest civil-only fraud settlement in DOJ history on April 27, 2010. It resolved allegations that the company off-label marketed an antipsychotic drug, Seroquel for uses not approved by the FDA, causing false claims for payment to be submitted to federal insurance programs including Medicaid, Medicare, and TRICARE programs, and to the Department of Veterans Affairs, the Federal Employee Health Benefits Program, and the Bureau of Prisons. Specifically, between January 2001 and December 2006, AstraZeneca promoted Seroquel to psychiatrists and other physicians for certain uses that were not approved by the FDA as safe and effective (including aggression, Alzheimer's disease, anger management, anxiety, attention deficit hyperactivity disorder, bipolar maintenance, dementia, depression, mood disorder, post-traumatic stress disorder, and sleeplessness) ("unapproved uses"). According to the Settlement Agreement, AstraZeneca targeted its illegal marketing of the anti-psychotic Seroquel towards doctors who do not typically treat schizophrenia or bipolar disorder, such as physicians who treat the elderly, primary care physicians, pediatric and adolescent physicians, and in long-term care facilities and prisons. It was alleged that AstraZeneca influenced medical education program content and speakers; that it hired doctors to give speeches, serve as authors of articles they did not write, about studies they did not conduct, and used them to promote the off-label uses. It also settled allegations of illegal remuneration to doctors for these activities and for "advising" the company at resort locations about off-label uses of Seroquel. In March 2006, AstraZeneca brought certain conduct to the attention of the government and then cooperated in the investigation. The civil settlement was reached by then-First Assistant U.S. Attorney Virginia Gibson and Assistant U.S. Attorney Colin Cherico of the United State's Office for the Eastern District of Pennsylvania.

VOCABULARY: Off-Label Marketing

Off-label marketing is illegal, even if a doctor can prescribe drugs for unapproved uses. When drugmakers promote for such uses, doctors are led to believe that the drug has been fully studied and has met the Food and Drug Administration's standards for safety and efficacy. Off-label promotion can cause a doctor and patient to forego treatment with an FDA-approved drug that has been proven safe and effective, and instead substitute a treatment urged by the pharmaceutical sales representative that is not known to be safe and effective, and that may be harmful or ineffective.

Some drug makers seek a narrow approval and do not go back to the FDA for approval of broader uses. While it is not inconceivable that a drug could prove useful in treating conditions other than those for which it was approved, doctors should be discussing, openly, with their patients the associated risks. Patients should also be asking their doctors why they think the drug might help them, and pharmaceutical companies should not have an influence on that doctor-patient relationship.



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TWO CHARGED IN ILLEGAL INTERNET PHARMACY

Carleta Carolina, of the Bahamas, and Wayne White, of Miami, were charged May 12, 2010 with conspiracy to distribute controlled substances and other crimes in connection with their participation in an illegal Internet pharmacy operation. Carolina allegedly owned, operated, and was affiliated with websites that sold controlled and non-controlled prescription drugs, primarily the controlled weight-loss drugs phendimetrazine and phentermine, to customers who were only required to complete an online medical questionnaire but were not examined by a physician in connection with their orders. According to the indictment, Carolina hired physicians to review the customers' online questionnaires and to issue prescriptions based solely upon the customers' responses. She then hired pharmacies, including Superior Drugs in Miami, Florida, to fill and ship these invalid prescriptions. Superior Drugs was operated by defendant Wayne White, who is a pharmacist. At least one of the doctors and one of the pharmacies that Carolina hired, as well as many of the online customers, were located in the Eastern District of Pennsylvania. The superseding indictment also charges violations of sections of the Controlled Substances Act that were amended by the Ryan Haight Online Pharmacy Consumer Protection Act and charges the defendants with devising a scheme to defraud. According to the indictment, the defendants falsely represented to prescription drug customers - who lacked prescriptions from their personal physicians - that the websites selling these drugs were a legitimate, lawful, safe, and responsible source. The case was investigated by the Drug Enforcement Administration, the IRS, US Postal Inspection Service, the FDA, Immigration and Customs Enforcement, and the FBI. It is being prosecuted by Assistant US Attorneys Frank Costello and Kevin Brenner.



Crime and Punishment

Lawyer Sentenced for Fraud

John P. Karoly, Jr., 60, of Allentown, was sentenced May 6th to 78 months in prison for tax fraud, mail fraud, and money laundering. A federal judge found that Karoly under-reported his income by \$4.175 million. He must pay restitution to the IRS in the amount of \$1,577,443 and \$426,969.81 to the Lehigh Valley Community Foundation. Karoly was ordered to report to prison on July 6, 2010. In the meantime, he will be on home confinement and electronic monitoring and was ordered to surrender his law license and to cease practicing law. The case was investigated by the FBI and prosecuted by Assistant U.S. Attorneys Seth Weber and Kevin Brenner.

Former Philadelphia Police Officer Sentenced

Rickie Durham, 44, of Philadelphia, was sentenced April 26, 2010 to 24 months in prison for obstructing justice in the drug case charging Alton "Ace Capone" Coles, and others, and for lying to federal investigators in the process. While working as a Philadelphia police officer and a member of a federal task force, Durham called a friend, who was the brother of Coles' girlfriend, and provided information about pending federal raids aimed at Coles and his associates. Coles then got word and made efforts to conceal evidence. Durham was convicted at trial of obstruction. U.S. District Court Judge Timothy J. Savage departed below the advisory guidelines in fashioning his sentence. The case was investigated by the ATF, FBI, and IRS. It was prosecuted by Assistant U.S. Attorneys Michael Bresnick and John Gallagher.

Social Workers Convicted

Mickal Kamuvaka, Solomon Manamela, Julius Juma Murray, and Mariam Coulibaly were convicted at trial of falsifying documents to show they visited and cared for city residents who required social services. One of the families the agency was supposed to be aiding was that of 14-year old Danieal Kelly. Instead, she was neglected and died of starvation. The four defendants were convicted of 12 counts of wire fraud and one count of conspiracy to obstruct a federal investigation. They also were each convicted of multiple counts of health care fraud and Coulibaly was convicted of one count of making a false statement to a federal agent.

Sentencing hearings are scheduled for June. The case was investigated by the U.S. Department of Health and Human Services Office of Inspector General, the Federal Bureau of Investigation, the Philadelphia Police Department, and the Philadelphia District Attorney's Office. It is being prosecuted by Assistant U.S. Attorneys Bea Witzleben and Vineet Gauri.



CRIMEBUSTERS : JTTF

TWO WOMEN CHARGED IN TERRORISM PLOT

Colleen LaRose, 46, Pennsburg, PA, and **Jamie Paulin-Ramirez**, 31, of Colorado, were charged with conspiring with foreign nationals overseas in a plot to provide material support to terrorists. The indictment alleges that LaRose and Ramirez traveled to and around Europe in support of violent jihad, that LaRose invited Ramirez to join her in Europe to attend a "training camp," and that Ramirez accepted the invitation, asking to bring along her minor male child. LaRose also allegedly accepted an assignment to murder a Swedish citizen and stole another person's U.S. passport. If convicted, LaRose faces a maximum sentence of life in prison and Paulin-Ramirez faces a maximum of 15 years in prison. Both defendants are awaiting a trial date.

The case was investigated by the Federal Bureau of Investigation's Joint Terrorism Task Force (JTTF). The Task Force, which includes approximately 40 agencies, was created in 2002 to serve as a coordinating mechanism with the FBI's partners. The JTTF is a group of highly trained, locally based, passionately committed investigators, analysts, linguists, SWAT experts, and other specialists from dozens of U.S. law enforcement and intelligence agencies, and is led by the Justice Department and FBI.

NEXT ISSUE:

-Voting rights issues

-Crimebusters highlights the EPA and the Clean Water Act

-Sentences for the defendants in the Multi-Ethnic case featured on page 3 of this issue.

INTERNET SAFETY TIPS FOR SUMMER

Summer is upon us. Children and teens have a lot of free time to surf the net, sometimes unmonitored. Parents should be aware of the potential dangers that lurk on the Internet, such as child predators who try to lure children. These predators oftentimes pose as another child on social networking sites. They subscribe to the texting language that kids use and know what musical groups are popular with kids. Parents need to inform themselves about what their children are saying in their electronic conversations. In Fiscal Year 2009, task forces reported nearly 28,000 complaints, including child pornography, enticement or obscenity directed to minors, and child prostitution. These complaints resulted in more than 13,000 investigations. In addition, the PROTECT Our Children Act of 2008 provided for the development of a national strategy to combat child exploitation and established long range goals for preventing child exploitation. The Department's effort to protect children is a personal priority of Attorney General Eric Holder. On March 31, 2010, the Department announced the availability of more than \$5 million to support the Attorney General's Initiative on Children Exposed to Violence. The funds will sponsor planning, outreach, research, and best practices for reducing children's exposure to violence. We are providing a link to a list of the most common shorthand text messages being used by kids and teens. Go to <http://www.justice.gov/usao/pae/shortcutsintext.pdf>.

Message from US Attorney, Cont'd. from page 1

I recognize that these are often difficult problems to solve, but I am also confident that our office has the people, talent and tools necessary to attack these problems so that the quality of life in the Eastern District and our nation continues to improve. Because we are driven in our office by the ideal that every law abiding citizen is entitled to live in a safe community where they can pursue their dreams, we will continue to work very hard to hold accountable those who victimize others, our communities, and our government. While we will fight vigorously on behalf of the citizens of this district, rest assured that we will strive to do the right thing because justice requires nothing less.

Talented Tenth Youth Leadership Summit

On March 3, 2010, the U.S. Attorney's Office hosted a three day leadership summit, inviting 28 North Philadelphia high school youth who were attending Mariana Bracetti Academy (MBA) Charter School. During the event, the students worked towards developing leadership skills and a comprehensive plan focused on specific community issues, which included teen pregnancy and criminal drug activity. Their continued efforts will empower these youths to become agents of change by influencing their peers, economy, and government.

The Talented Tenth Leadership Program provides a meaningful avenue for youth involvement, community development, and establishes an increased sense of civic engagement among members as it fosters their leadership, problem-solving and decision-making skills. North Philadelphia Weed and Seed Project is the fourth geographic area in the United States to adopt the program, which may expand to the West Philadelphia site in Fall 2010. The Bureau of Justice Assistance and Institute of Law and Justice provided technical assistance through the Project Safe Neighborhoods initiative, enabling the launch of the Philadelphia program.

